

1 BILL NO. S-97-10- 25

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
SPECIAL ORDINANCE NO. S

105-97

AN ORDINANCE AMENDING ORDINANCE S-
63-97 OF THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE REGARDING THE
ISSUANCE OF SEWAGE WORKS JUNIOR
REVENUE BONDS OF 1997 TO SUPPLEMENT
THE PROJECT DESCRIPTION DELINEATED
IN S-63-97

WHEREAS, on July 1, 1997, the Common Council of the City of Fort Wayne, Indiana, did adopt Ordinance S-63-97; and

WHEREAS, on July 22, 1997, the Common Council of the City of Fort Wayne, Indiana, did adopt Resolution R-48-97 authorizing the City Clerk to substitute pages in Ordinance S-63-97, including its Exhibit "A" Project Description; and

WHEREAS, subsequent to the passage of S-63-97 and R-48-97, the Council has found it appropriate and necessary to supplement the Project Description, as included as Exhibit "A" to S-63-97 by adding the "GS Phase II" Interceptor Relief Sewer to listing of proposed projects to be financed by said bonds.

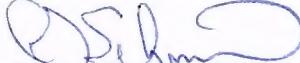
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA:

SECTION 1: That the Project Description as included in Exhibit "A" of Ordinance S-63-97, and as modified by Resolution R-48-97, be further amended by including an additional project to be known as the "GS Phase II" Interceptor Relief Sewer.

SECTION 2: That Exhibit "A" be replaced with the attached new pages 36 and 37, which reflect the addition of the "GS Phase II" Interceptor Relief Sewer.

SECTION 3: Ordinance S-63-97, including Exhibit "A" thereto, shall be hereafter distributed with the amendment authorized herein.

1 **SECTION 4:** That this Ordinance shall be in effect from and after its passage and any and all
2 necessary approval by the Mayor.

3 
4

5 Council Member

6 APPROVED AS TO FORM AND LEGALITY

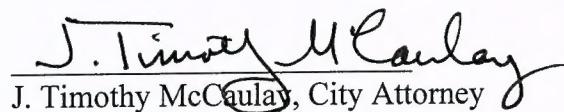
7 
8 J. Timothy McCaulay, City Attorney

Exhibit A

PROJECT DESCRIPTION

The Project consists of the following described projects and related improvements to the sewage works of the City:

FINE PORE AERATION AND DENITRIFICATION PROJECT

This program will result in the replacement and modification of existing coarse bubble air diffusers used in the biological treatment process at the Water Pollution Control Plant (WPCP) with fine pore air diffusers. This project includes the modification of the aeration system to provide an anoxic denitrification zone within the existing aeration tanks. The replacement and modification will provide for more efficient operation of the WPCP, resulting in decreased electrical power usage and cost.

NORTH MAUMEE INTERCEPTOR RELIEF PROJECT

This project consists of the design and construction of approximately 9,800 L.F. of 24 and 36 inch diameter sanitary sewer to serve as a relief sewer to the North Maumee interceptor north of North River Road. The North Maumee relief interceptor will eliminate hydraulic deficiencies that result in sewer back-ups and system overflows during wet weather conditions, and will provide capacity improvements for continued and expanded service to the northeast district of the City's sewer service area.

ST. MARY'S INTERCEPTOR RELIEF PROJECT

This project consists of the design and construction of approximately 2,200 L.F. of 21, 24 and 36 inch diameter sewer, including an inverted siphon under the St. Mary's River, to serve as a relief sewer to the St. Mary's interceptor in the vicinity of Swinney Park. The St. Mary's relief project will eliminate hydraulic deficiencies that result in sewer back-ups and system surcharging in the Waynedale area and provide capacity improvements for continued and expanded service to the south central and southwest districts of the City's sewer service area.

GS PHASE II INTERCEPTOR RELIEF SEWER

The GS Phase II Interceptor Relief Sewer will consist of approximately 3,910 linear feet of 30-inch diameter gravity sewer. This portion of the GS Relief Sewer project will extend from the siphon inlet structure in Foster Park near Bluffton Road to the northern edge of the Belle Vista subdivision. It will

serve, in conjunction with the GS Phase I project, to provide approximately 6.66 MGD of additional capacity to this interceptor service basin.

CAPACITY IMPROVEMENTS PROJECT

The Wastewater Facilities Master Plan identified hydraulic deficiencies in the City's wastewater collection system in both the combined sewer and the separate sanitary interceptor systems. More than 40 of the combined sewer subbasins are inadequate to transport flows for a 25-year storm event with the majority of the subbasin systems having inadequate capacity to transport a 10-year event. The separate sanitary interceptor systems, particularly the North Maumee, Clinton, Junk Ditch, St. Joseph and Spy Run systems, also experience hydraulic deficiencies during wet weather periods due to clearwater infiltration and inflow. As a result, sewer back-ups, surcharging, overflows and street flooding occur in systems with inadequate capacity.

This program consists of the study, design and construction of improvements over a ten year period to provide a minimum hydraulic capacity available to handle and convey up to a 25-year storm event in each of the combined sewer subbasins without backups, street flooding and without causing an increase in combined sewer overflows at other points. In addition, for the separate interceptor systems, the improvements would provide a minimum capacity available to handle all wet weather events without backups or overflows.

The Capacity Improvements Program has identified the combined sewer system as the priority under the first phase(s) of the program and combined sewer subbasins have been prioritized for planning and scheduling of improvements. The separate interceptor systems are also being prioritized for planning and scheduling of improvements to be undertaken concurrent with the combined sewer improvements program. Improvements include, but are not limited to, partial and full sewer separation, relief sewers, storage/equalization, infiltration and inflow removal, and replacement.

Read the first time in full and on motion by John Bush,
 and duly adopted, read the second time by title and referred to the Committee on
Finance, (and the City Plan Commission for recommendation)
 and Public Hearing to be held after due legal notice, at the Common Council Conference
 Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday,
 the 25th day of November, 1997, at 5:30
 o'clock P M., E.S.T.

DATED: 10-28-97

Sandra E. Kennedy
Wedge & Kennedy

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____,
 and duly adopted, placed on its passage. PASSED LOST
 by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>	_____	_____	_____
BENDER	<u>✓</u>	_____	_____	_____
CRAWFORD	<u>✓</u>	_____	_____	_____
EDMONDS	<u>✓</u>	_____	_____	_____
HALL	<u>✓</u>	_____	_____	_____
HAYHURST	<u>✓</u>	_____	_____	_____
HENRY	<u>✓</u>	_____	_____	_____
LUNSEY	<u>✓</u>	_____	_____	_____
RAVINE	<u>✓</u>	_____	_____	_____
SCHMIDT	<u>✓</u>	_____	_____	_____

DATED: 11-25-97

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
 as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL)
 (ZONING) ORDINANCE RESOLUTION NO. 5-105-97
 on the 25th day of November, 1997

Sandra E. Kennedy
 SANDRA E. KENNEDY, CITY CLERK

ATTEST:

SEAL

Thomas P. Helmke

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
26th day of November, 1997,
 at the hour of 3:00, o'clock P, M., E.S.T.

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day
 of November, 1997, at the hour of 2:30
 o'clock P M., E.S.T.

P. Helmke
 PAUL HELMKE, MAYOR

BILL NO. S-97-10-25

REPORT OF THE COMMITTEE ON FINANCE

DONALD J. SCHMIDT - JOHN N. CRAWFORD - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ amending Ordinance S-63-97
of the Common Council of the City of Fort Wayne, regarding the
issuance of Sewage Works Junior Revenue Bonds of 1997 to supplement
the project description delineated in S-63-97

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) ~~(RESOLUTION)~~

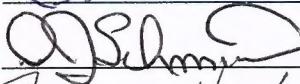
DO PASS

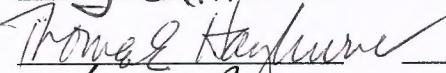
DO NOT PASS

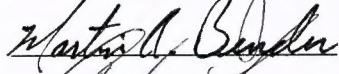
ABSTAIN

NO REC



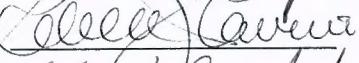


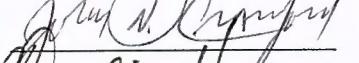








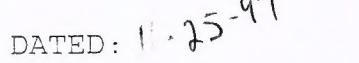
























<img alt="Signature of Donald J. Schmidt" data-bbox="108 5125

***** P.01

TRANSACTION REPORT

DEC-19-97 FRI 9:04

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE
DEC-19	9:01	94618230	2'16"	4	SEND	OK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221 • FAX 219-427-1371

SANDRA E. KENNEDY, CITY CLERK

December 19, 1997

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of Monday, December 22, 1997, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

City of Fort Wayne Sewage Works
Project amended by S-105-97

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

BARNES & THORNBURG

11 South Meridian Street
Indianapolis, Indiana 46204
(317) 638-1313
Fax (317) 231-7433

<http://www.btlaw.com>

December 18, 1997

J. Timothy McCaulay, Esquire
Helmke, Beams, Boyer & Wagner
300 Metro Building
200 West Berry Street
Fort Wayne, IN 46802-2216

Re: City of Fort Wayne Sewage Works Revenue Bond

Dear Tim:

Enclosed you will find a Notice of Determination to Construct and Finance Improvements to the Fort Wayne Municipal Sewage Works and the Adoption and Purport of the Ordinance Amending and Authorizing the Same (the "Notice") for the above referenced financing. Since the scope of the project was amended by Ordinance S-105-97, adopted on November 25, 1997 it is necessary to republish the notice and give the public a chance to object. The Notice must be published one (1) time within thirty (30) days of adoption.

Please set the Notice for publication in your two (2) legal newspapers for Monday, December 22, 1997. It will be very important to have someone there confirm publication on Monday so if the paper fails to conduct a valid publication, it can be rectified by Wednesday, December 24, 1997.

Please call me if you have any questions.

Very truly yours,

ORIGINAL SIGNED BY
JAMES M. GUTTING

James M. Gutting

JMG/san

IND501 IXG 21829

Indianapolis

Fort Wayne

South Bend

Elkhart

Chicago

Washington, D.C.

C
O
P
Y



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

FAX (219) 427-1371

SANDRA E. KENNEDY, CITY CLERK

FAX COVER SHEET

DATE: 12-19-97

FAX # 461-8230

SEND TO: Connie - Urgent

FROM: Office of the City Clerk

ADDITIONAL NOTES: To be published in both newspapers December 22, 1997

Thank you

IF YOU HAVE ANY PROBLEMS RECEIVING THIS FAX, PLEASE CALL AS SOON AS POSSIBLE.

**NOTICE OF DETERMINATION TO CONSTRUCT AND
FINANCE IMPROVEMENTS TO THE FORT WAYNE
MUNICIPAL SEWAGE WORKS AND THE ADOPTION AND
PURPORT OF THE ORDINANCE AMENDING
AND AUTHORIZING THE SAME**

Property owners and other interested parties in the City of Fort Wayne are hereby notified that on November 25, 1997 the Common Council of the City of Fort Wayne adopted Ordinance No. S-105-97 amending Ordinance No. S-63-97, as amended, thereby determining and ordering the establishment and construction of additions and improvements to the City's sewage works consisting of the following five major areas: 1) fine pore aeration and denitrification project, 2) North Maumee interceptor relief project, 3) St. Mary's interceptor relief project, 4) GS Phase II interceptor relief sewer, and 5) certain capacity improvements to the combined sewer and interceptor collection systems pursuant to plans and specifications developed by the City's engineering department.

The cost of the improvement project is estimated to be \$23,500,000 which will be funded from bond proceeds of an amount not to exceed \$27,400,00. Ordinance No. S-63-97, as amended, further directed and ordered the cost of the project to be financed by the issuance of sewage works revenue bonds in an amount not to exceed \$27,400,000 and bond anticipation notes ("BANs") in an amount of not to exceed \$23,500,000. The BANs will be payable from the proceeds of the bonds and the bonds will be payable solely from the net revenues of the sewage works. The BANS will be sold in accordance with IC 5-1-14 and the bonds will be sold at public sale pursuant to IC 5-1-11, at an interest rate not to exceed eight per cent (8%) per annum to be determined by bidding. The bonds will mature annually over a period ending August 1, 2012.

A copy of Ordinance No. S-63-97, Resolution No. R-48-97, and Ordinance No. S-105-97, may be examined at the office of the Fort Wayne City Clerk, Fort Wayne, Indiana. Objections to this project and the bonds may be filed in the time and manner provided by IC 36-9-23. Dated this 22nd day of December, 1997.

Sandra E. Kennedy, Clerk
City of Fort Wayne, Indiana

INDS01 JXG 236922

FW COMMON COUNCIL

(Governmental Unit)

ALLEN

County, Indiana

To:

The News-Sentinel

Dr.

P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

53 lines, 1 columns wide equals 53 equivalent lines
at .364 cents per line

\$ 19.29

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

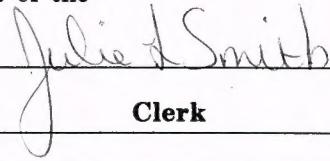
\$ 20.29

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 1
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.



Date: DEC 22, 19 97

Title: Clerk

PUBLISHER'S AFFIDAVIT

NOTICE OF DETERMINATION TO CONSTRUCT AND FINANCE IMPROVEMENT TO THE FORT WAYNE MUNICIPAL SEWAGE WORKS AND THE ADOPTION AND PURPORT OF THE ORDINANCE AMENDING AND AUTHORIZING THE SAME

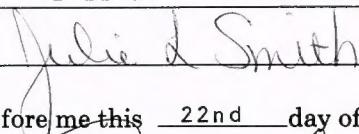
bonds may be filed in the time and manner provided by IC 36-9-23. Dated this 22nd day of December, 1997.

Sandra E. Kennedy, Clerk
City of Fort Wayne, Indiana
#667340

12-22 personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time , the dates of publication being as follows:

12-22-97

Subscribed and sworn to before me this 22nd day of DEC 19 97.


Notary Public

MARY L SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14,2001

My commission expires:

FW COMMON COUNCIL

(Governmental Unit)

ALLEN

County, Indiana

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM**LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
 -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

53 lines, **1** columns wide equals **53** equivalent lines
 at **.364** cents per line

\$ **19.29**

Additional charge for notices containing rule or tabular work
 (50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00**TOTAL AMOUNT OF CLAIM**\$ **20.29****DATA FOR COMPUTING COST**Width of single column **12.5** emsNumber of insertions **1**Size of type **6** point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Julie L Smith*Date: **DEC 22**, 19 **97**

Title:

Clerk**PUBLISHER'S AFFIDAVIT**

NOTICE OF DETERMINATION TO CONSTRUCT AND FINANCE IMPROVEMENT TO THE FORT WAYNE MUNICIPAL SEWAGE WORKS AND THE ADOPTION AND PURPORT OF THE ORDINANCE AMENDING AND AUTHORIZING THE SAME

bonds may be filed in the time and manner provided by IC 36-9-23. Dated this 22nd day of December, 1997.

Sandra E. Kennedy, Clerk
City of Fort Wayne, Indiana
#667340

12-22

Personally appeared before me, a notary public in and for said county and state, the undersigned **JULIE L SMITH** who, being duly sworn, says that he/she is **Clerk** of the **The Journal-Gazette** newspaper of general circulation printed and published in the English language in the (city) (town) of **Fort Wayne, IN** in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **1** time _____, the dates of publication being as follows:

12-22-97

Subscribed and sworn to before me this **22nd** day of **DEC**, 19 **97**.

Mary L Schneider
Notary Public

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP JUNE 14,2001

My commission expires: